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FISCAL IMPACT STATEMENT

LS 6448

BILL NUMBER: SB 139

NOTE PREPARED: Dec 17, 2009

BILL AMENDED:

SUBJECT: Election Administration; State Officeholders.

FIRST AUTHOR: Sen. Simpson

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State

Summary of Legislation: *County Election Board Employees-* The bill provides that a county election board may not employ a candidate for elected office, a member of a candidate's committee, or an elected officeholder to perform certain election duties and responsibilities exercised by the circuit court clerk.

State Officeholders- The bill provides that a state officeholder may not use public funds to pay for the preparation, printing, distribution, or broadcast of advertising or any other form of communication concerning the activities or duties of the officeholder's state office in which the state officeholder personally appears or speaks, and establishes a civil penalty not to exceed \$1,000 for each violation.

Effective Date: July 1, 2010.

Explanation of State Expenditures: *State Officeholders-* The Election Division could incur additional expense if more investigations are conducted as a result of this provision. The Division was fully staffed as of November 2009 and has a state General Fund appropriation of \$897,752 for FY 2010.

Explanation of State Revenues: *State Officeholders-* A state officeholder found to be in violation of this provision would be subject to the above civil penalty and all documented investigative costs incurred by the Election Division. Revenue from penalties would be placed in the state Campaign Finance Enforcement Account (CFEA).

Background Information- The CFEA had collected \$18,351 in fines and penalties at the end of FY 2009.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Election Commission, Election Division.

Local Agencies Affected: County election boards.

Information Sources: State Budget Agency, Auditor's Database.

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